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throughout the two works, but the showing made by these sections is by no means exceptional and may not unfairly be taken to represent the degree to which the books respectively attain the ideal of the class of works to which they belong.

Of course this demonstration does not express the relative value of these works. The superior arrangement and more accurate statement of the law of the subject by Tiffany, and, perhaps, his more careful selection of cases for citation, may still entitle him to preëminence over his rival, but the fact remains that, for a work of its class, Tiffany lacks fulness and completeness. That it will within its limits answer admirably the purposes of a book of reference for law-students and law-teachers as well as for the profession at large may be gratefully conceded, but it would answer these purposes much more completely if it were filled out to its proper proportions and fitted to its real purpose. Here, then, is Mr. Tiffany's task and opportunity. The task is his by virtue of demonstrated capacity; and the crying need of the profession for a comprehensive work on real property, which shall be as complete in its presentation of the law as it is admirable in arrangement and accurate and lucid in statement, is his opportunity. We await the New and Enlarged Tiffany.

COMMENTARIES ON THE LAW OF MASTER AND SERVANT. Three vols. C. B. Labatt. Rochester, New York: The Lawyers' Co-operative Publishing Co. 1904. Vol. I. pp. lii, 1302. Vol. II., pp. xxiii. 1337.¹

The frequency with which monumental treatises like this are issuing from the press may well give the lawyer pause. Are they symptoms of a chronic disease now affecting our jurisprudence, or are they simply sporadic? The author's explanation of the size of these particular volumes would indicate that, in his opinion, certain portions at least of our jurisprudence are in a bad way. He writes: "To some readers these volumes will, perhaps, appear immoderately prolix. It may be advisable, therefore, to take this opportunity of explaining that the great length to which they have been extended is due to the impossibility of discussing adequately within a narrow compass the enormous mass of authorities bearing upon a subject which may, without any exaggeration, be said to enjoy the unenviable distinction of having been the occasion of a larger number of conflicting doctrines and inconsistent decisions than any other branch of our law."

The latest English edition of Smith's Master and Servant is but a moderate-sized volume, although it contains a reprint of all the British Statutes on the subject, as well as a consideration of the reported cases to which the Statutes have given rise. Is it necessary that an American treatise on the same subject should be expanded to eight times the bulk of the English work? If it is necessary, then it would seem that the development of this branch of the law by judicial decision has not been very successfully prosecuted in

¹ Volume III is to appear later.

our courts, and that the only hope of relief for the legal profession is codification.

But we are not convinced that four thousand large octavo pages are required for an adequate presentation of the law of Master and Servant in English-speaking lands. While we do not claim to have perused the entire text of the twenty-seven hundred pages laid before us in these two volumes, we have examined many sections. The result of our investigation may be stated briefly as follows: The author has done his work thoroughly. He has stated established rules with clearness and accuracy, and has discussed with ability controverted questions. He has cited a multitude of cases. Had he contented himself with ending his labors here, the publication would not have reached half its present size. But he felt called upon to present every discoverable shade of doctrine, which has been displayed in the innumerable opinions of more than a hundred different tribunals. He has also deemed it wise to transfer to his notes extensive monographs from the Lawyers' Reports Annotated. In short, he has produced a cyclopedia of the Law of Master and Servant, rather than a text book. Such publications are valuable. This one, we believe, will prove very useful. But they do not indicate that our judicial decisions are more conflicting and inconsistent than formerly. They are not symptoms, we are glad to believe, of a tendency to judicial insanity among us.

INTRODUCTION TO PRACTICE. George A. Miller. New York: Leslie J. Tompkins. 1903. pp. 284.

The plea which the author offers as a justification for the publication of this volume is that of self-defense. In other words, some of the students having heretofore prepared and sold imperfect reports of the lectures which Professor Miller has given for a number of years at the Law School of New York University upon the subject of practice under the New York Code of Civil Procedure, he presents the lectures in the present volume in a form for which he is willing to be responsible.

Considered as a series of lectures to be delivered to students within a definite and limited period, and to serve simply as an introduction to practice, there is much in the book that is worthy of commendation. The style is exceptionally clear, the statements of the law are, as a rule, accurate, the cases cited in support of the text are largely leading cases, and, stated generally, there is a systematic treatment of the subject, and an orderly arrangement of topics which completely differentiates the work from the so-called Code "Digests" and Hand Books, although it is difficult to understand why chapter fifteen, relating to the courts of the State, should not have been chapter one.

A book of a similar character and with which the present volume may, therefore, be naturally compared is Bishop's "Code Practice in Personal Actions," published in 1893. Largely on account of statutory changes since that date, Professor Miller's work pre-